

Office of Administrative Hearings of Baltimore County
105 West Chesapeake Avenue Ste 103
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 100026

Ruben Gaimaro
2757 Weatherstone Dr
Ellicott City, MD 21042

4409 Scotia Rd

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on September 20, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC)13-4-201(d), failure to store garbage in container with tight fitting lids on residential property.

On August 24, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Phillip Mills issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$ 75.00 (Seventy dollars)

The following persons appeared for the Hearing and testified: Ms. Zempoalteca, Carmen Schwartz, Ruben Gaimaro Respondent(s); Philip Mills, Baltimore County Code Enforcement Officer.

Testimony was presented that, as a result of a community sweep on 8/24/11, an inspection of the subject property revealed the improper storage of garbage in cans without lids. The Respondent noted his difficulty in motivating the cooperation of his tenants to comply with the Code requirements.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty lien be imposed in the amount of \$ 75.00 (Seventy dollars).

IT IS FURTHER ORDERED that \$37.50 of the \$75 civil penalty lien be suspended.

IT IS FURTHER ORDERED that the remaining \$37.50 will be imposed if the property is not brought into immediate compliance.

IT IS FURTHER ORDERED that the remaining \$37.50 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty lien AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 23rd day of September 2011

Signed: Original signed 09/23/11
Lawrence Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.